REMARKS

Claims 1-16 are pending in the application with Claims 1, 4, 6, 9 and 10 as independent claims. In the Office Action, the Examiner rejected the Claims as follows. Claims 1-16 are rejected under 35 U.S.C §102(e) as being anticipated by Martin et al. (U.S. Patent No. 6,631,275).

Reconsideration of the application is respectfully requested.

The Applicants sincerely appreciate the Examiner withdrawing the Finality of the last Office Action based on the arguments proffered by the Applicants. However, the Examiner only changed the basis of the rejection from 35 U.S.C §102(b) to 35 U.S.C §102(e). The Examiner did not provide any response to Applicants' arguments. Therefore, those same arguments are once again presented to the Examiner for consideration since they were not considered the last time.

Martin discloses when the user lifts the receiver, the terminal of a wireless local loop telephone system detects this and generates a dial tone as being normal, and the user starts dialing. But instead of waiting for completion of dialing, the terminal immediately sends a channel request message to the network. This triggers the exchange of normal messages with the result that a signaling channel is assigned, an authentication procedure is performed and the ciphering mode is set up during the time when the user is pressing keys to give a called subscriber's telephone number.

Regarding the rejection of Claim 1, the Examiner states that Martin teaches each and every element of Claim 1 including "transmitting to the base station, in response to the entering of the at least one digit of the recipient's phone number, an origination message that does not contain a recipient's phone number". In support of this assertion, the Examiner cites Abstract; Fig. 4; col. 5, lines 65-67-col. 6, lines 1-4. (See Office Action page 3). Applicants respectfully disagree.

With respect to Claim 1, generally to establish communication between a terminal and a base station, a certain protocol is adhered to. Associated with a protocol is a specific handshake. This process is disclosed in Martin. However, Claim 1 recites a totally different handshake. More particularly, referring to FIG. 3, the present invention teaches when a user begins to input a phone number of a desired recipient, the mobile station transmits to a base station an origination message in step (a). (See specification page 6, line 25). In contrast, in reference to Fig. 5, Martin teaches detecting a dial tone, then immediately following the detection of dial tone, a channel request is sent. (See col.4, lines 60-67). The teaching of absence of detecting a dial tone as part of the protocol, is nowhere to be found in the cited figure, passage or elsewhere in Martin. Stated differently, in Martin, detection of a dial tone is an integral part of the protocol whereas in the present invention it is not. Thus, the present invention can perform call setup more rapidly than the method disclosed by Martin. Accordingly, the present invention has a totally different handshake from that disclosed in Martin. The operation envisioned by this invention performs differently than what is disclosed in Martin.

Based on the above, Martin does not teach in the same arrangement or order as in Claim 1 the elements of 1) entering at least one digit of a recipient's phone number and 2) transmitting to the base station an origination message that does not contain a recipient's phone number. Because Martin does not teach each and every element of Claim 1 arranged as in the claim, Martin does not anticipate Claim 1.

Claims 4, 6, 9 and 10 recite, in part, upon receiving an origination message that does not contain a recipient's phone number from the mobile station, assigning to the mobile station wireless resources and transmitting to the mobile station a channel assignment message containing the assignment information, transmitting a service request message to the mobile switching center, simultaneously assigning wireless resources to the mobile station, and transmitting a channel assignment message including the assignment information to the mobile station. The Examiner asserts that col. 4, lines 1-9 of Martin teaches transmitting an origination message, not containing a recipient's phone number. The teaching of absence of the recipient's phone number in an origination message, is nowhere to be found in the cited passage or elsewhere in Martin. In fact, Martin

message informing the network how and when the network will have the dialed digits. That message is sent after the first part of channel establishment in steps 8 and 9. (See Fig. 4; col. 4, line 58-col. 5, line 6 and col. 6, lines 5-15). In contrast, the origination message of the present invention is the first step and can include 0's. (See specification page 6, lines 28-30.) Thus, the present invention can perform call setup more rapidly than the method disclosed by Martin. Accordingly, Martin's signaling is totally different from that of the present invention. Because Martin does not teach each and every element of Claims 4, 6, 9 and 10, Martin does not anticipate Claims 4, 6, 9 and 10.

Claims 2-3, 5, 7-8 and 11-13 and 14-16, which depend from the independent claims, are also not anticipated for at least the above cited reasons. Accordingly, Claims 1-16 are believed to be in condition for allowance.

Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

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